



Minutes

Town of Blue River

Regular Meeting of the Board of Trustees

June 21, 2016

Blue River Town Hall, 0110 Whispering Pines Circle

6:00 p.m.

Work Session 5:00 p.m.-Accessory Apartments

1. Call to Order

- Mayor Weiss called the Work Session to order at 5:00 p.m.
 - Dominic Mauriello with Mauriello Planning was present to give an updated presentation on accessory apartments and options for the Board of Trustees.
 - Discussion included how to move forward with existing, are new allowed, and the options that the town has.
 - Mayor Weiss introduced Kendra Carberry, Attorney who has been approached to assist the Town with the process in conjunction with John Dunn, Town Attorney.
 - There was discussion about the survey that was distributed and its results as well as what was missing from the survey.
 - Discussion included well and septic and how it works.
 - Decision to have a session as a Board to pick through presentation to help give Dominic direction. Discussion to host a public work session to gather public input.
 - A community forum is set as a possibility for some time in August and to have Dominic and attorneys to draft language and cost to determine what is involved.
 - Discussion on options to gain more community input.
 - Suggestion to draft an ordinance to begin the discussion after the Board reviews the bullet points in a work session at the July meeting to provide information back to Dominic for drafting.

Mayor Weiss called the Regular Meeting to order at 6:13 p.m.

Roll Call

Dan Cleary

Tyler Brook

Laurel Wehrman

Ken Robertson

Mitchell Weiss

Toby Babich

Joel Dixon

Also present: John Dunn, Town Attorney; Michelle Eddy, Town Administrator/Clerk; Brian Brady, Town Marshal.

Trustee Babich left the meeting at 7:42 p.m.

2. **Reading and approval of the Minutes** from the Blue River Board of Trustees' Regular meeting held on May 17, 2016, and special executive session held May 23, 2016 and special work session May 31, 2016.
 - Trustee Babich moved and Trustee Dixon seconded to approve the minutes of May 17th, 23rd and May 31st. Motion passed unanimously.
3. **Approval of the Agenda** (Additions, Deletions, Change of Order)
 - Mayor Weiss asked to added contract for legal services with Kendra Carberry to the agenda.
 - Moved presentation by Troy Wineland to the beginning of the agenda.
4. **Citizen's Comments**-(Non-agenda items only; 3 minute limit only)
 - Citizen Communications
 - i. Interim Sheriff Jaime FitzSimmons was present to introduce himself to the Board of Trustees.
 - ii. Wanda Green, 0051 Calle de Platta-New Eldorado Subdivision-commented on the accessory apartment challenge and encouraged review of regulation documents used by other Summit County municipalities.
 - iii. Chris Daly-0361 Lakeshore Loop-inquired how residents can be heard on the accessory apartments discussion. Asked for the Board to be transparent on the issue and to get the word out about the work sessions.
 - iv. Linda Davis, 0341 Davis Ct-HOA President Aspen View-asked about timeframe with cistern installation. Discussed issues with homeowner in violation of codes.
 - v. Sybil Turner, 0140 Sherwood-Asked that the Sherwood Forest project be placed on the agenda so residents know it will be discussed.
5. **Continuing Business**
 - Engineer Report-Muller Engineer
 - i. Steven Humphrey with Muller Engineering was present to provide an update on capital road and cistern projects.
 1. Cistern project will begin July 12th and will be the Hwy 9 location as a priority with the 2015 grants.
 - a. The bid has been awarded to Betone Contracting. The tanks will be set on the 14th and be completed by July 31st to be compliant with the grant.
 - b. Met with the contractor on the Spruce Valley Ranch location.
 - c. There is a concern with the location selected on Wilderness due to trees. The property owner is working on a better location on the property. They will meet with Red, White and Blue to ensure sufficient access.
 - d. Will be working with Red, White and Blue to identify additional areas for future cisterns.
 - e. It was recommended to identify locations and conduct surveying before pursuing funding.
 2. Sherwood Forest Project-
 - a. Muller and Town representatives met with residents after the May Trustees Meeting. The neighborhood meeting brought up some concerns and questions. It was asked to have Columbine postpone until fall and to work through a re-design and to address the concerns.
 - b. Steven presented new draft designs based on the citizen feedback. Concerns included narrowing the ditches, separating the easements and paving of the entire project.

- c. In the new designs the ditches were reduced from 14' wide to 8' wide. This also reduced the cost.
 - d. New easements were designed to have the temporary easement for construction, the drainage easement and then the road easement. The new easements create less impact on the homeowners and better define the uses.
 - e. At this time utility relocations are on hold as they are waiting to hear from Columbine.
 - f. Steven stated they are working on finalizing the plan and direction with Ms. Siddons on where she would like the drainage along her property to go.
 - g. Discussion to have either one on one meetings with residents and/or another neighborhood meeting.
 - i. A couple of residents from the neighborhood were present and expressed favorable comments on the redesign. Biggest concern is impact to the Siddons' property.
 - h. Discussion on the amount of paving needed for the project.
3. Lakeshore Loop-guardrail and wall design.
- a. Feedback from residents is that the road isn't as wide as originally surveyed last year.
 - b. Plan currently is to stabilize the embankment and install a guardrail to address safety issues. Noted that widening the road could potentially cause additional issues and should be looked at closer.
 - c. Discussion to install the guardrail now, and the road could be expanded more to the south later.
 - d. Estimated cost for the guardrail is \$36,000. Still need to better design wall to determine cost for the wall. This wall is about 20' long to address a failed embankment.
 - e. Steven asked for direction to pursue completing the guardrail and embankment wall. Discussion to wait one week to hear from homeowner for the wall access and to obtain estimated costs for the wall as well as estimates to widen the road.

6. New Business

- Flight For Life Memorial Park Committee-Eddie O'Brien
 - i. Eddie O'Brien with the Flight for Life Memorial Park was not present for the meeting.
- Beetlekill Tree Removal agreement
 - i. Michelle presented the agreement to the Board. The agreement would be for emergency tree removal and as needed purposes.
 - ii. Trustee Cleary moved and Trustee Wehrman seconded to approve the Beetlekill Tree Removal agreement. Motion passed unanimously.
- Board Retreat.
 - i. This has been postponed until a date in August.
- Moving of the July Board of Trustees Meeting.
 - i. Due to a conflict with the regular scheduled Board of Trustees Meeting, it was suggested to move the meeting to July 12th.
 - ii. Trustee Wehrman moved and Trustee Robertson seconded to move the July meeting to the second Tuesday of the month, July 12th there will be a work session at 5:00 p.m. and the regular meeting at 7:00 p.m. Motion passed.
- Troy Wineland, Blue River Water Commissioner

- i. Troy Wineland, Blue River Water Commissioner was present to present information on wells and well permits and proper permitting. This information and presentation is on the Town website. Troy will be hosting a public discussion on Saturday, June 25th, 9:30 a.m.-10:30 a.m.
- ii. Troy noted that he is asking to have residents self-identify by July 1, 2016 will be given until July 1, 2017 to obtain the proper permitting. After July 1st he will begin tagging wells. He discussed process which includes an initial warning. After that non-compliance includes a fine of \$500 a day.
- Contract for services with Kendra Carberry law firm
 - i. Mayor Weiss explained bringing in Ms. Carberry to assist with the accessory apartment issue given her experience in municipal law to work with John Dunn and Dominic Mauriello.
 - ii. Trustee Robertson expressed concern due to previous experience in litigation with the town.
 - iii. Trustee Cleary expressed additional concern for a need for the additional attorney.
 - iv. John Dunn noted that he and Ms. Carberry are on the same page. John did ask about who needs to be at the July meeting. He noted he has no objection to the agreement. She can be brought in as needed.
 - v. Noted that she will not be needed at the July meeting but will decide when to bring her in.
 - vi. Trustee Wehrman moved and Trustee Dixon seconded to approve the agreement. Motion passed. Trustee Cleary opposed.

7. Reports

A. Mayor & Trustees Report

- Mayor Weiss-no report.
- Trustee Brook reported on the roads.
 - i. Fixes were complete on 97 Circle to address drainage.
 - ii. Timber Creek fire hydrant was complete. He is working with the HOA and water district for cost sharing for the hydrant.
 - iii. Grading will begin next week and will take about a week to week and a half.

B. Finance Report

- Trustee Dixon move and Trustee Wehrman seconded to approve the warrants in the amount of \$86,958.79.
 - i. Roll Call
 - 1. Cleary-Yes
 - 2. Brook-Yes
 - 3. Wehrman-Yes
 - 4. Robertson-Yes
 - 5. Weiss-Yes
 - 6. Dixon-Yes

C. Department Reports

- Michelle reminded everyone that Town Hall will be closed Wednesday-Friday. Communication will be available via email. She also reminded everyone of the Trustee Talks on Saturday, 8:30 a.m.-9:30 a.m. and Town Clean up. Troy Wineland will be present from the State Water to help answer questions on water rights and wells 9:30 a.m.-10:30 a.m.
- Michelle asked if anyone was wishing to apply to represent the Town of Blue River on the Summit Stage Transit Authority. The Board of County Commissioners would make the final decision. This person would be asked to attend the meeting on June 29th, 8:00 a.m. - 2:00 p.m. From there the recommendation would be made to the County Commissioners.
- Michelle mentioned the completion of the Community Engagement Plan. Goal is to make public and to begin look at possibly establishing a citizen advisory committee.

- Brian had no reports. He encouraged the guardrail fix on Lakeshore Loop as soon as possible.
 - i. Trustee Wehrman moved and Trustee Cleary seconded to approve the galvanized railing for Lakeshore Loop. Motion passed unanimously.

D. Attorney's Report-No report

8. Other Business

There being no further business before the Board, Trustee Cleary made a motion to adjourn the meeting. Trustee Brook seconded the motion. Mayor Mitch Weiss adjourned the meeting at 8:22 p.m.

Approved by:

Respectfully Submitted:

Mitch Weiss, Mayor

Michelle Eddy, Town Clerk